

FILED BY *JE* D.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

DEC 21 AM 9:28
THOMAS H. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, MEMPHIS

LUTHER CHARLES KING,

Appellant,

v.

KIMCO REALTY CORPORATION,

Appellee.

Case No. 04-3014

ORDER TO SHOW CAUSE

On December 13, 2004, Appellant, Luther Charles King filed a notice of appeal from the Bankruptcy Court. To date, King has not prosecuted the appeal. Accordingly, Plaintiff is hereby ordered to prosecute the appeal within 30 days or show cause why the appeal should not be dismissed. Thereafter, the appeal will be dismissed.

IT IS SO ORDERED this 21 day of December, 2005.

Bernice Bouie Donald
BERNICE BOUIE DONALD
UNITED STATES DISTRICT JUDGE

This order is entered in compliance with Rule 58 and/or 79(a) FRCP on 12/21/05

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Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:04-CV-03014 was distributed by fax, mail, or direct printing on December 22, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT